

Adopted	Rejected
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COMMITTEE REPORT

YES:	13
NO:	0

MR. SPEAKER:

*Your Committee on **Elections and Apportionment**, to which was referred Senate Bill 329, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 SECTION 1. IC 3-5-2-50.4 IS ADDED TO THE INDIANA CODE
- 4 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2001]: **Sec. 50.4. "Voter's bill of rights" refers to the statement**
- 6 **prescribed by the commission under IC 3-5-8.**
- 7 SECTION 2. IC 3-5-8 IS ADDED TO THE INDIANA CODE AS
- 8 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 9 1, 2001]:
- 10 **Chapter 8. The Voter's Bill of Rights**
- 11 **Sec. 1. The commission shall prescribe a statement of the rights**
- 12 **of a voter in Indiana that shall be known as "the voter's bill of**
- 13 **rights".**
- 14 **Sec. 2. The statement required by section 1 of this chapter must**

1 contain the following:

2 (1) A statement of the qualifications that an individual must
3 meet to vote in Indiana, including qualifications relating to
4 registration.

5 (2) A statement describing the circumstances that permit a
6 voter who has moved from the precinct where the voter is
7 registered to return to that precinct to vote.

8 (3) A statement that an individual who meets the
9 qualifications and circumstances listed in subdivisions (1) and
10 (2) may vote in the election.

11 (4) A statement describing how a voter who is challenged at
12 the polls may be permitted to vote.

13 (5) A statement informing the voter what assistance is
14 available to assist the voter at the polls.

15 (6) A statement informing the voter what circumstances will
16 spoil the voter's ballot and the procedures available for the
17 voter to request a new ballot.

18 (7) A statement describing which voters will be permitted to
19 vote at the closing of the polls.

20 (8) Other information that the commission considers
21 important for a voter to know.

22 **Sec. 3. The commission may require a copy of the voter's bill of**
23 **rights to be distributed with voter registration materials or other**
24 **materials that are given to voters.**

25 **Sec. 4. The secretary of state or other state agency posting**
26 **election information on the state's Internet site shall include the**
27 **voter's bill of rights on the site.**

28 **Sec. 5. Not later than thirty (30) days before a primary, general,**
29 **or municipal election, the secretary of state shall request Indiana**
30 **news media to include a copy of the voter's bill of rights as part of**
31 **election coverage or in public service announcements."**

32 Page 3, between lines 23 and 24, begin a new paragraph and insert:

33 "SECTION 8. IC 3-11-3-22 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 22. (a) Each county
35 election board shall have printed in at least 14 point type on cards in
36 English, braille, and any other language that the board considers
37 necessary, the following:

38 (1) Instructions for the guidance of voters in preparing their

1 ballots.

2 (2) Instructions explaining the procedure for write-in voting.

3 (3) Write-in voting notice cards that must be posted in each
4 precinct that utilizes a voting machine or ballot card voting
5 system that does not permit write-in voting. The notice cards must
6 direct voters who want to cast write-in votes to request a write-in
7 ballot from an election official.

8 (b) **Each county election board shall have printed in type large**
9 **enough to be easily visible to voters entering the polling place a**
10 **poster at least twenty-four (24) inches by thirty-six (36) inches**
11 **containing the voter's bill of rights. The poster shall be printed in**
12 **English, braille, Spanish, and any other language that the board**
13 **considers necessary.**

14 (c) The board shall furnish the number of cards **and voter's bill of**
15 **rights posters** it determines to be adequate for each precinct to the
16 inspector at the same time the board delivers the ballots for the precinct
17 and shall furnish a magnifier upon request to a voter who requests a
18 magnifier to read the cards.

19 SECTION 9. IC 3-11-11-2 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) On the morning
21 of election day, the precinct election officers shall meet at the polls at
22 least one (1) hour before the time for opening the polls. The inspector
23 then shall have:

24 (1) the chute erected;

25 (2) the sample ballots, ~~and~~ instruction cards, **and voter's bill of**
26 **rights posters** posted; and

27 (3) everything put in readiness for the commencement of voting
28 at the opening of the polls.

29 (b) At the opening of the polls, the inspector and judges shall see
30 that there are no ballots in the ballot box before the voting begins. After
31 the inspection of the box, the inspector shall:

32 (1) securely lock the box;

33 (2) give one (1) key to the judge of the opposite political party;
34 and

35 (3) retain one (1) key.

36 (c) Once securely locked, the ballot box may not be opened again
37 until after the polls have been closed and the precinct election board is
38 ready to immediately proceed with the counting, except as otherwise

1 provided for central counting.

2 (d) The voting booths or compartments must be of a size and design
3 to permit a voter to mark ballots in secret.

4 SECTION 10. IC 3-11-12-24 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 24. On the morning of
6 election day, each precinct election board, the poll clerks, and the
7 election sheriffs shall meet at the polls at least one (1) hour before the
8 time for opening the polls. The inspector then shall have:

9 (1) the chute erected;

10 (2) the sample ballots, ~~and~~ instruction cards, **and voter's bill of**
11 **rights posters** posted; and

12 (3) everything put in readiness for the commencement of voting
13 at the opening of the polls.

14 SECTION 11. IC 3-11-13-27 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 27. (a) After the
16 delivery of a ballot card voting system to a precinct, the precinct
17 election board may meet at the polls on the same day and open the
18 package containing the sample ballot cards, to determine whether the
19 system is ready for use in accordance with section 16 of this chapter.
20 If a ballot card voting system is not in compliance with that section, the
21 board shall immediately label, set and adjust, and place the system in
22 order or have it done.

23 (b) While acting under subsection (a), the precinct election board
24 may restrict access to parts of the room where marking devices and
25 other election material are being handled to safeguard this material.

26 (c) On the morning of election day, the precinct election officers
27 shall meet at the polls at least one (1) hour before the time for opening
28 the polls. The inspector then shall have:

29 (1) the chute erected;

30 (2) the sample ballots, ~~and~~ instruction cards, **and voter's bill of**
31 **rights posters** posted; and

32 (3) everything put in readiness for the commencement of voting
33 at the opening of the polls.

34 (d) Before the opening of the polls, the precinct election officers
35 shall compare the ballot cards used in the marking device with the
36 sample ballots furnished and determine whether the names, numbers,
37 and letters are in agreement. The officers then shall certify that the
38 marking device and the sample ballots are in agreement. Forms shall

1 be provided for certification, and the certification shall be filed with the
2 election returns.

3 SECTION 12. IC 3-11-14-16 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. On the morning of
5 election day, the precinct election officers shall meet at the polls at
6 least one (1) hour before the time for opening the polls. The inspector
7 then shall have:

- 8 (1) the chute erected;
9 (2) the sample ballots, ~~and~~ instruction cards, **and voter's bill of**
10 **rights posters** posted; and
11 (3) everything put in readiness for the commencement of voting
12 at the opening of the polls.".

13 Renumber all SECTIONS consecutively.

(Reference is to SB 329 as reprinted February 27, 2001.)

and when so amended that said bill do pass.

Representative Kromkowski